

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ORACLE USA, INC., a Colorado corporation;
ORACLE AMERICA, INC., a Delaware
corporation; and ORACLE INTERNATIONAL
CORPORATION, a California corporation,

Plaintiffs,

v.

RIMINI STREET, INC., a Nevada corporation;
AND SETH RAVIN, an individual,

Defendants.

Case No. 2:10-cv-0106-LRH-VCF

**NOTICE OF PROPOSED FILINGS
IN RESPONSE TO ORDER, ECF NO.
1049**

Plaintiffs Oracle USA, Inc., Oracle America, Inc., and Oracle International Corporation submit this Notice of Proposed Filings in response to the Court's Order, ECF No. 1049, on Oracle's Motion for Permanent Injunction Against Defendants Rimini Street, Inc. and Seth Ravin, for Disposition of Infringing Copies, and for Judgment on Oracle's Unfair Competition Claim, ECF No. 900, Oracle's Motion for Prejudgment Interest, ECF No. 910, and Oracle's Motion for Costs and Attorneys' Fees, ECF No. 917.

Attached to this Notice as **Exhibit A** is Oracle's [Proposed] Permanent Injunction Against Defendants Rimini Street, Inc. and Seth Ravin. Attached to this Notice as **Exhibit B** are Oracle's [Proposed] Findings of Fact in Support of Permanent Injunction Against Defendants Rimini Street, Inc. and Seth Ravin. Attached to this Notice as **Exhibit C** is a redline comparing Oracle's [Proposed] Order Granting Oracle's Motion for Permanent Injunction Against Defendants Rimini Street, Inc. and Seth Ravin, for Disposition of Infringing Copies, and for Judgment on Oracle's Unfair Competition Claim, ECF No. 900-1, which Oracle filed on October 21, 2015, to Exhibit B.

Oracle concurrently files a [Proposed] Fed. R. Civ. P. 58 Final Judgment in a Civil Action. Consistent with the Court's Order, ECF No. 1049, the proposed final judgment sets the rate for prejudgment interest for damages under the Copyright Act at 5.07%, equal to the weekly

average of the one-year constant maturity Treasury yield for the week prior to the start of the infringement. *See* Decl. of Elizabeth A. Dean Concerning Prejudgment Interest, Dkt. 912 at 2. Consistent with the Court's Order, ECF No. 1049, the proposed final judgment sets the rate for prejudgment interest for damages for violation of the NCCL at 5.5%, equal to the prime rate at the largest bank in Nevada as ascertained by the Commissioner of Financial Institutions on July 1, 2016 plus 2%. NRS §17.130.

Dated: September 23, 2016

MORGAN, LEWIS & BOCKIUS LLP

By: /s/ Thomas S. Hixson
Thomas S. Hixson
Attorneys for Plaintiffs
Oracle USA, Inc.,
Oracle America, Inc. and
Oracle International Corporation

CERTIFICATE OF SERVICE

I certify that on September 23, 2016, I electronically transmitted the foregoing **NOTICE OF PROPOSED FILINGS IN RESPONSE TO ORDER, ECF NO. 1049** to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to all counsel in this matter; all counsel are CM/ECF registrants.

Dated: September 23, 2016

Morgan, Lewis & Bockius LLP

By: /s/ Thomas S. Hixson
Thomas Hixson

Attorneys for Plaintiffs
Oracle USA, Inc.,
Oracle America, Inc. and
Oracle International Corporation